

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DOC #:
DATE FILED: 4/02/2015

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UNITED STATES OF AMERICA	:	POST-INDICTMENT RESTRAINING
	:	ORDER AND ASSET TRANSFER
- v. -	:	ORDER PURSUANT TO 18 U.S.C. §
	:	981, 28 U.S.C. § 2461, and 21 U.S.C. §
SHELDON SILVER,	:	853
	:	
Defendant.	:	15 Cr. 093 (VEC)
	:	
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Upon the application of PREET BHARARA, United States Attorney for the Southern District of New York, pursuant to 18 U.S.C. §§ 981(a)(1)(C), 28 U.S.C. § 2461(c), and 21 U.S.C. §§ 853(e)(1)(A) and 853(f), and the Declaration of Special Agent Richard K. Wilfling of the Federal Bureau of Investigation (“FBI”), and all papers submitted in support thereof,

IT IS HEREBY ORDERED that:

1. SHELDON SILVER, Weitz & Luxenberg, P.C. (“Weitz & Luxenberg”), Goldberg & Iryami P.C. (“Goldberg & Iryami”), JoRon Management LLC (“JoRon”), Counsel Financial Holdings LLC (“Counsel Financial”), Michael Joseph, Fidelity Investments, Bank of New York Mellon, Morgan Stanley Smith Barney, and their attorneys, agents, employees, and anyone acting on their behalf, and all persons or entities acting in concert or participation with any of the above, and all persons and entities with knowledge of this Order, shall not, directly or indirectly, transfer, sell, assign, pledge, hypothecate, encumber, or dispose of in any manner; cause to be transferred, sold, assigned, pledged, hypothecated, encumbered, disposed of in any manner; or take, or cause to be taken, any action that would have the effect of depreciating, damaging, or in any way diminishing the value of the Assets listed on Exhibit A attached hereto (the “Subject Assets”), except

as set forth below.

2. Weitz & Luxenberg shall transfer any fees that would otherwise be paid to SHELDON SILVER based on referrals from Doctor-1, as identified in the Indictment in this matter, to the United States Marshals Service (“USMS”) Seized Asset Fund.

3. Goldberg & Iryami shall transfer any fees that would otherwise be paid to SHELDON SILVER to the USMS Seized Asset Fund.

4. JoRon, Counsel Financial, and Michael Joseph shall transfer any distributions or other payments that would otherwise be paid to SHELDON SILVER to the USMS Seized Asset Fund.

5. Weitz & Luxenberg, Goldberg & Iryami, JoRon, Counsel Financial, and Michael Joseph shall provide to the United States Attorney’s Office and the USMS notice at the time that each transfer of Subject Assets is made into the USMS Seized Asset Fund, and shall provide an accounting of the amount of each transfer.

6. The USMS shall not take any action that would depreciate, damage, or in any way diminish the value of the Subject Assets without the prior written consent of the United States Attorney’s Office.

7. The Seizure Warrants that were served on (a) the \$340,000 on deposit in HSBC Bank, Account Number 761883860, held in the name of JoRon Management LLC, and (b) \$100,000 on deposit in Bank of America, Account Number 483025986924, held in the name of Counsel Financial Holdings LLC, are hereby vacated and the contents of those accounts shall be released from restraint.


8. A copy of this Order shall be served by email, U.S. mail, or facsimile on

SHELDON SILVER, Weitz & Luxenberg, Goldberg & Iryami, JoRon, Counsel Financial, Michael Joseph, Fidelity Investments, Bank of New York Mellon, Morgan Stanley Smith Barney, HSBC Bank, and Bank of America, or counsel for the same, within two business days following the issuance of this Order.

9. The provisions of this Order shall remain in effect until further Order from the Court, except that the United States Attorney's Office for the Southern District of New York, in its discretion, is authorized to direct the release of assets restrained herein.

Dated: New York, New York
April 2, 2015

SO ORDERED:



HONORABLE VALERIE E. CAPRONI
UNITED STATES DISTRICT JUDGE

Exhibit A – The Subject Assets

- a. Any and all funds and assets on deposit in Fidelity Investments, Account Number 614856932, held in the name of SHELDON SILVER.
- b. Any and all funds and assets on deposit in Fidelity Investments, Account Number 613438626, held in the name of SHELDON SILVER.
- c. Any and all funds and assets on deposit at Bank of New York Mellon, Account Number 980215084245, held in the name of SHELDON SILVER.
- d. Any and all funds and assets on deposit at Morgan Stanley Smith Barney, Account Number 901010095, held in the name of SHELDON SILVER.
- e. Any and all assets, notes, or other financial instruments held or managed by Counsel Financial Holdings LLC for or on behalf of SHELDON SILVER and/or Rosa Silver.
- f. Any and all assets held or managed by JoRon Management LLC for or on behalf of SHELDON SILVER, including but not limited to SILVER's interests in Alpha Orbit LLC, Clover Communities Fund I LP, Clover Communities Fund II LP, Clover Communities Fund III LP, Lerer Ventures II LP, and NewSat Limited.
- g. Any and all assets held or managed by Michael Joseph for or on behalf of SHELDON SILVER, including but not limited to SILVER's interests in Clover Communities Fund I LP and Clover – Brighton Square.
- h. Any and all share certificates or other ownership interest held by SHELDON SILVER in Synacor, Inc.
- i. Any fees that would otherwise be or have been paid to SHELDON SILVER from Weitz & Luxenberg, P.C. based on referrals from Doctor-1, as identified in the Indictment.
- j. Any fees that would otherwise be or have been paid to SHELDON SILVER from Goldberg & Iryami, P.C.